

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT
STATE OF NEW YORK

DOCUMENTS SERVED WITH INDEX #: 06 Civ. 6697 (SCR)

MARK A. TORNELLO,

Plaintiff,

v.

ROBERT EARL SANDERS,

Defendant.

STATE OF: NEW YORK
COUNTY OF WESTCHESTER ss

The undersigned deponent, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in the State of New York. On 5/24/07 at 1:00 p.m. deponent did
serve the within process as follows:

Process Served: Summons, Complaint, Judge's Rules and Electronic filing rules

Party Served: ROBERT EARL SANDERS

At Location: NYSP Troop T, Fifth Avenue, Larchmont, New York

By delivering to and leaving with Officer Holmes and that deponent knew the person so served to be Officer Holmes and authorized to accept service.

On May 25, 2007, deponent completed service by depositing a copy of the summons, complaint, judge's rules and electronic filing rules to the above address in a First Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York.

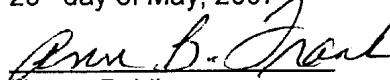
A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Sex M	Age 30-40	Weight 180
Color of Skin BLACK	Height 5'9"	Color of Hair Bald
Other Features		



Robert Fouvy

Sworn to before me this
25th day of May, 2007



Notary Public

ANN B. FRANK
Notary Public, State of New York
No. 01FR5022348
Qualified in Westchester County
Commission Expires January 10, 2010

ATTORNEY(S) Lovett & Gould, Esqs. , Ann Frank, Lgl Asst.

Mark A. Tornello

Plaintiff(s)/Petitioner(s)

vs

Robert Earl Sanders

Defendant(s)/Respondent(s)

STATE OF NEW YORK: COUNTY OF ALBANY

, SS.:

Christopher Warner, being duly sworn deposes and says deponent is not a party herein, is over the age of eighteen years and resides in the State of New York. That on June 5, 2007 at 3:15 pm M at Troop T Headquarters, 200 Southern Blvd., Albany, NY deponent (did, did not) serve the within

Summons in a Civil Action & Complaint

on: Robert Earl Sanders, Defendant (herein called recipient) therein named.

#1 INDIVIDUAL By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORP. A corporation, by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be thereof.

Service was made in the following manner after your deponent was unable, with due diligence, to serve the defendant in person, including an effort to reach the defendant by telephone, (if such telephone number was available) and an attempt to locate the defendant's place of employment.

#3 SUITABLE AGE PERSON By delivering a true copy of each to Sgt. T.G. Ferrito a person of suitable age and discretion. Said premises is recipient's [x] actual place of business [] dwelling house (usual place of abode) within the state

#4 AFFIXING TO DOOR By affixing a true copy of each to the door of said premises, which is recipient's [] actual place of business [] dwelling house (usual place of abode) within the state.

#5 MAILING COPY On June 6, 2007 deponent completed service under the last two sections by depositing a copy of the Summons in a Civil Action & Complaint to the above address in a First Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York.

Deponent called at the aforementioned address on the following dates and times:

on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____

#6 NON-SERVICE After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following:
[] Unknown at Address [] Evading [] Moved left no forwarding [] Address does not exist [] Other

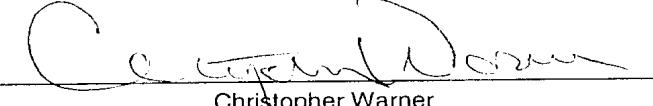
#7 DESCRIPTION A description of the Defendant, or other person served, on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex Male Color of skin White Color of hair Balding Approx.Age 51 - 65 Yrs. Approx.Height 5' 9" - 6' 0" Approx. weight 161 - 200 Lbs Other Moustache, Glasses

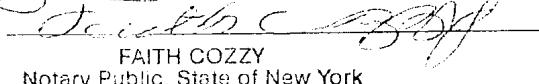
#8 WIT. FEES \$ _____ the authorizing traveling expenses and one day's witness fee was paid (tendered) to the recipient.

Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or on active duty in the military service in the State of New York and was informed he/she was not.

Sworn to before me on this

6th day of June, 2007


Christopher Warner


FAITH COZZY
Notary Public, State of New York

Qualified in Albany County
Reg. No. 01CO6158874

Commission Expires January 8, 2011

ALEXANDER, POOLE & CO., INC. • 11 NORTH PEARL STREET • ALBANY, NEW YORK, 12207

Invoice•Work Order # 0711752